

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ALI EL-HALLANI, et al,

Plaintiffs,

vs.

No. 13-cv-12983
Hon. Gerald E. Rosen

HUNTINGTON NATIONAL BANK

Defendant.

**OPINION AND ORDER DENYING PLAINTIFFS' MOTION TO CERTIFY
CLASS WITHOUT PREJUDICE**

Plaintiffs initiated this civil rights litigation on July 11, 2013. (Dkt. # 1). A little over two months later, Plaintiffs filed a Motion for Class Certification (Dkt. # 6) and an Ex Parte Motion for Leave to File Excess Pages (Dkt. #4). On the same day, Defendant, in lieu of an answer to Plaintiffs' Complaint, filed a Motion to Dismiss Plaintiffs' Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (Dkt. # 5). Plaintiffs' Motions are premature due to the pendency of Defendant's dispositive motion and the further reason that, even if Defendant's motion is denied, the Court's experience is that discovery and potential further motion practice provides a necessary preamble to class certification issues.

For all of the foregoing reasons,

IT IS ORDERED that Plaintiffs' Motion for Class Certification (Dkt. # 6) is DENIED WITHOUT PREJUDICE, pending discovery and future motion practice.

IT IS FURTHER ORDERED that Plaintiffs' Ex-Parte Motion for Leave to File Excess Pages (Dkt. # 4) is DENIED AS MOOT.

IT IS SO ORDERED.

Dated: October 2, 2013

s/Gerald E. Rosen

GERALD E. ROSEN

CHIEF, U.S. DISTRICT COURT

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, October 2, 2013, by electronic and/or ordinary mail.

s/Julie Owens

Case Manager, 313-234-5135